

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

VINCENT E. ZIRKER,
Petitioner.

403
Case No: 3:09-cv-00043
Judge Haynes, Jr.

v.

UNITED STATES OF AMERICA,
Respondent.

MOTION TO COMPEL " SPECIFIC DISCOVERY"
FROM GOVERNMENT FOR PETITIONER'S 28 U.S.C. § 2255

PETITIONER, Vincent E. Zirker, pro se, and ask this honorable court to compel the government to come up with "specific discovery". Petitioner also ask that the court construe this motion liberally pursuant to Haines v. Kerner, 404 US 519 (1972).

FACTS

Petitioner state that discovery is needed in this case, to prove that petitioner is actually innocent of the charges for which he stands convicted. Due to the facts and circumstances of this case that have been presented to the court in petitioner § 2255, and also showing that the government's key witness Nathan Morgan lied, and the misconduct of the government in it's initiation, of petitioner's prosecution, counsel's ineffectiveness, and trial court's abuse of discretion rendered petitioner in a position of guilty before innocent. Petitioner has and will show that the government have illegal arrested petitioner, and that petitioner is illegally incarcerated, and that cumulative errors rendered a cumulative effect, such as counsel's failure to impeach, object to prepare with petitioner and other counsel before trial was deficient. Petitioner is asking the court to compel the government to provide "specific discovery" in a timely manner and that if petitioner need go any further can prove that precedent in the Sixth Circuit supports his request.

*This motion is DENIED without
prejudice to be renewed by Morris'
appointed counsel of record.
(1) *See JDR**